

PUBLIC NOTICE

US Army
Corps
of Engineers
Baltimore
District

In Reply to Application Number
CENAB-OP-RMS(RUSSELL, MORGAN/RD
XING)02-63539-4

Comment Period: November 8, 2002 to December 9, 2002

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), as described below:

APPLICANT *Mr. Morgan Russell*
 c/o R.A. Barrett and Associates
 3140 West Ward Road
 Dunkirk, Maryland 20754

LOCATION: In non-tidal wetlands and Fishing Creek at Federal Oaks Estates,
 Calvert County, Maryland.

WORK: *The applicant proposes, in accordance with the attached plans, to install three 216 linear foot 60-inch high density polyethylene (HDPE) pipes with the center pipe depressed 1-foot below the existing stream bottom, and to emplace 30-foot by 58-foot riprap scour pads on both ends for a road crossing impacting 37,672 square feet of non-tidal wetlands and 262 linear feet of stream; to install two 169 linear foot 60-inch HDPE pipes, with one pipe depressed 1-foot below the existing stream bottom, and to emplace 10-foot by 17.5-foot riprap scour pads on both ends for a road crossing impacting 13,686 square feet of non-tidal wetlands and 191 linear feet of stream; to install a 128 linear foot 48-inch HDPE pipe, 1-foot below the existing stream bottom, and to emplace 10-foot by 8-foot riprap scour pads on both ends for a road crossing impacting 15,724 square feet of non-tidal wetlands and 128 linear feet of stream; and to install a 153 linear foot 60-inch HDPE pipe, 1-foot below the existing stream bottom, and a 153 linear foot 54-inch HDPE pipe and to emplace 45-foot by 32-foot riprap scour pads on both ends for a road crossing impacting 17,034 square feet of non-tidal wetlands and 168 linear feet of stream. The total project impact is approximately 1.93 acres of non-tidal wetlands and 749 linear feet of stream. All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mrs. Kathy Anderson at (410) 962-5690.*

The purpose of the work is to access upland lots in a proposed residential subdivision

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Standards and Certification Division Maryland Department of the Environment, Building 30, First Floor, 2500 Broening Highway, Baltimore, Maryland 21224 within the comment period as specified above to receive consideration. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration. The 401 certifying agency has a statutory limit of one year to make its decision.

The applicant must obtain any State or local government permits which may be required.

A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

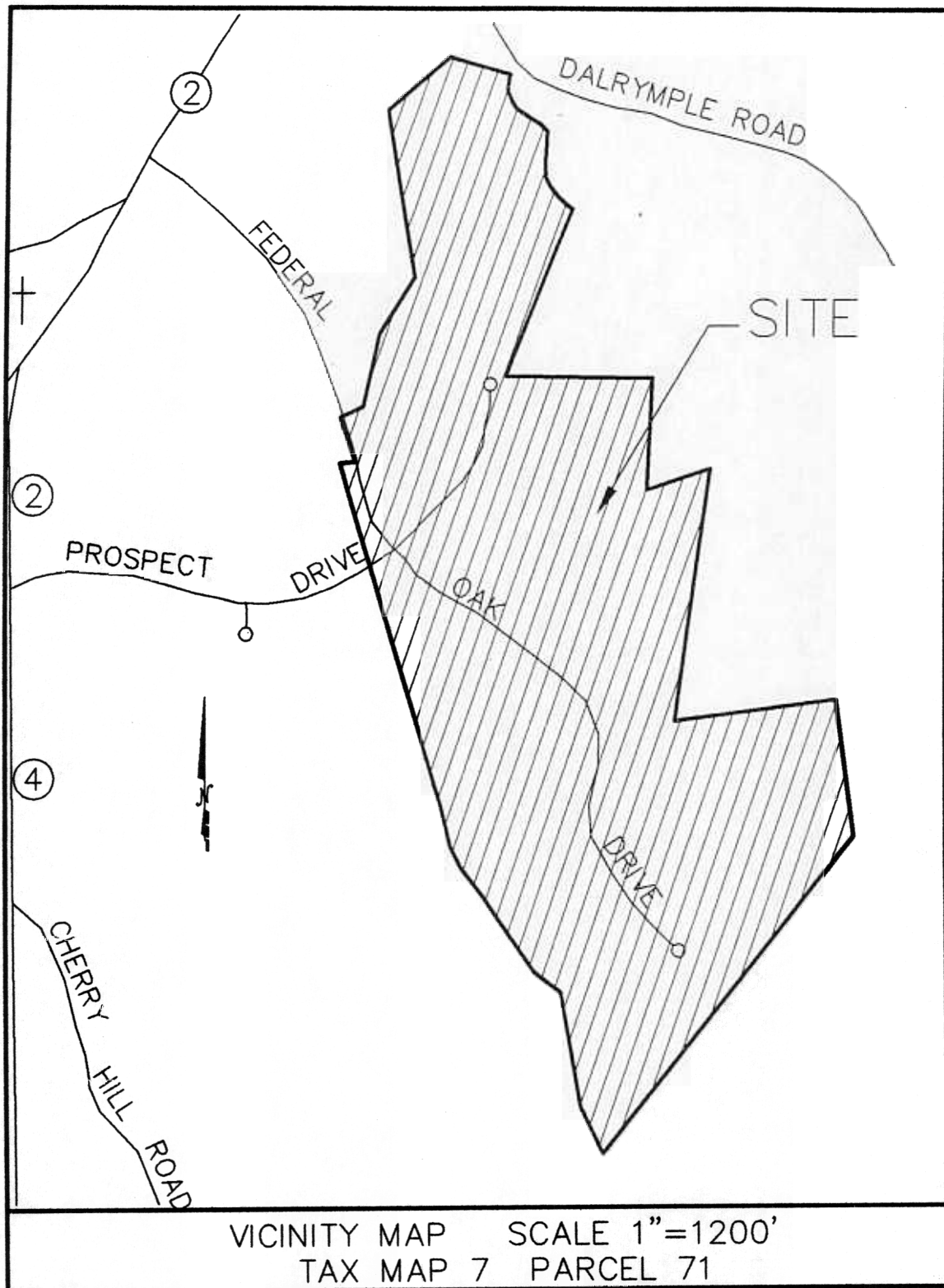
Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest which may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:


WALTER WASHINGTON, R.
Chief, Maryland Section, Southern



VICINITY MAP

FEDERAL OAKS

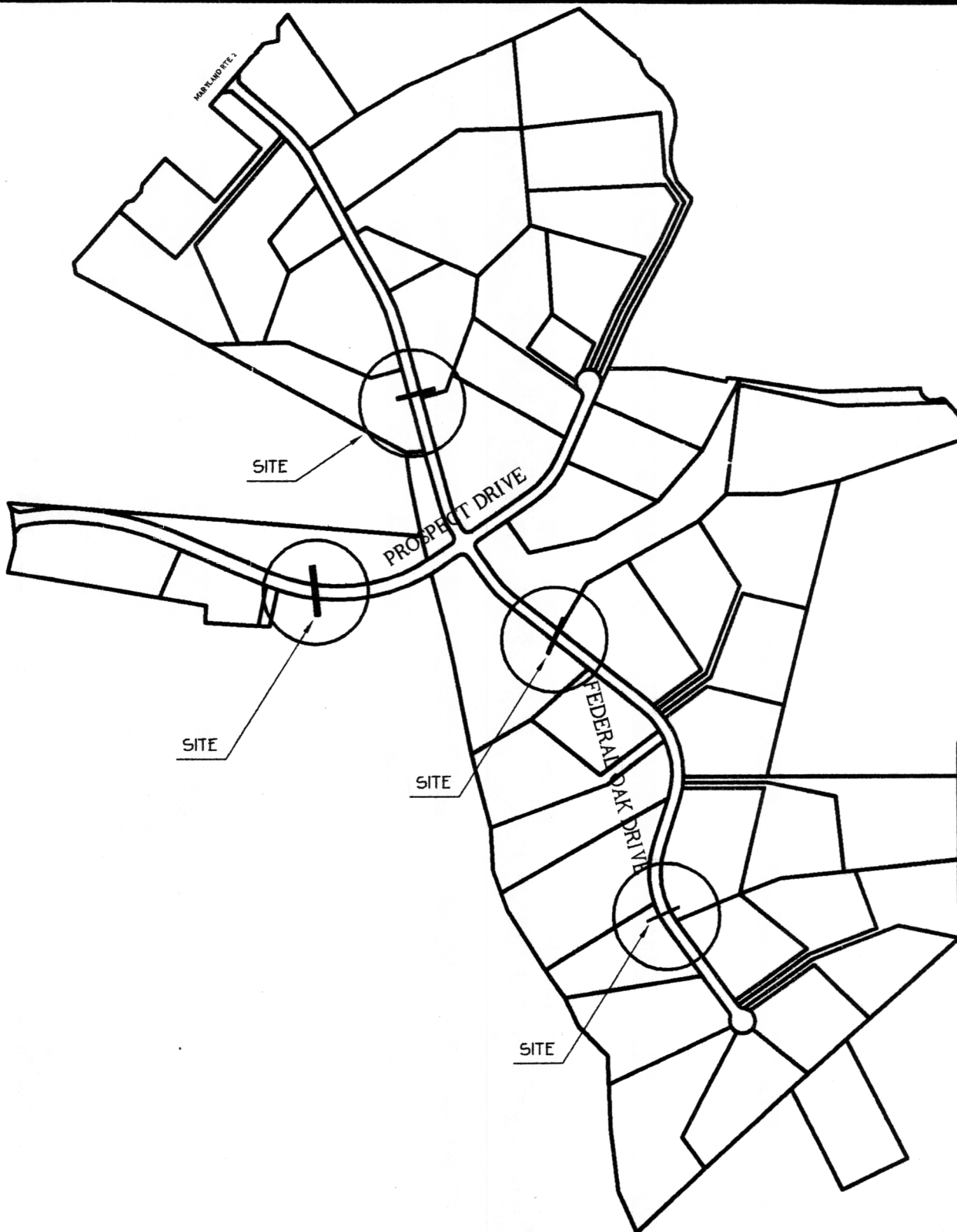
3rd ELECTION DISTRICT, CALVERT COUNTY, MARYLAND



**R.A. BARRETT
& ASSOCIATES, INC.**
ENGINEERS & SURVEYORS

DUNKIRK MARKETPLACE PROFESSIONAL CENTER
3140 WEST WARD ROAD, SUITE 208, DUNKIRK, MD. 20754
410-257-2255 301-855-5554 FAX: 410-257-3782

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TJW
SCALE
AS NOTED
DATE
SEPT. 2002
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CULVERT CROSSING MAP

N.T.S

SITE LOCATION MAP

FEDERAL OAKS

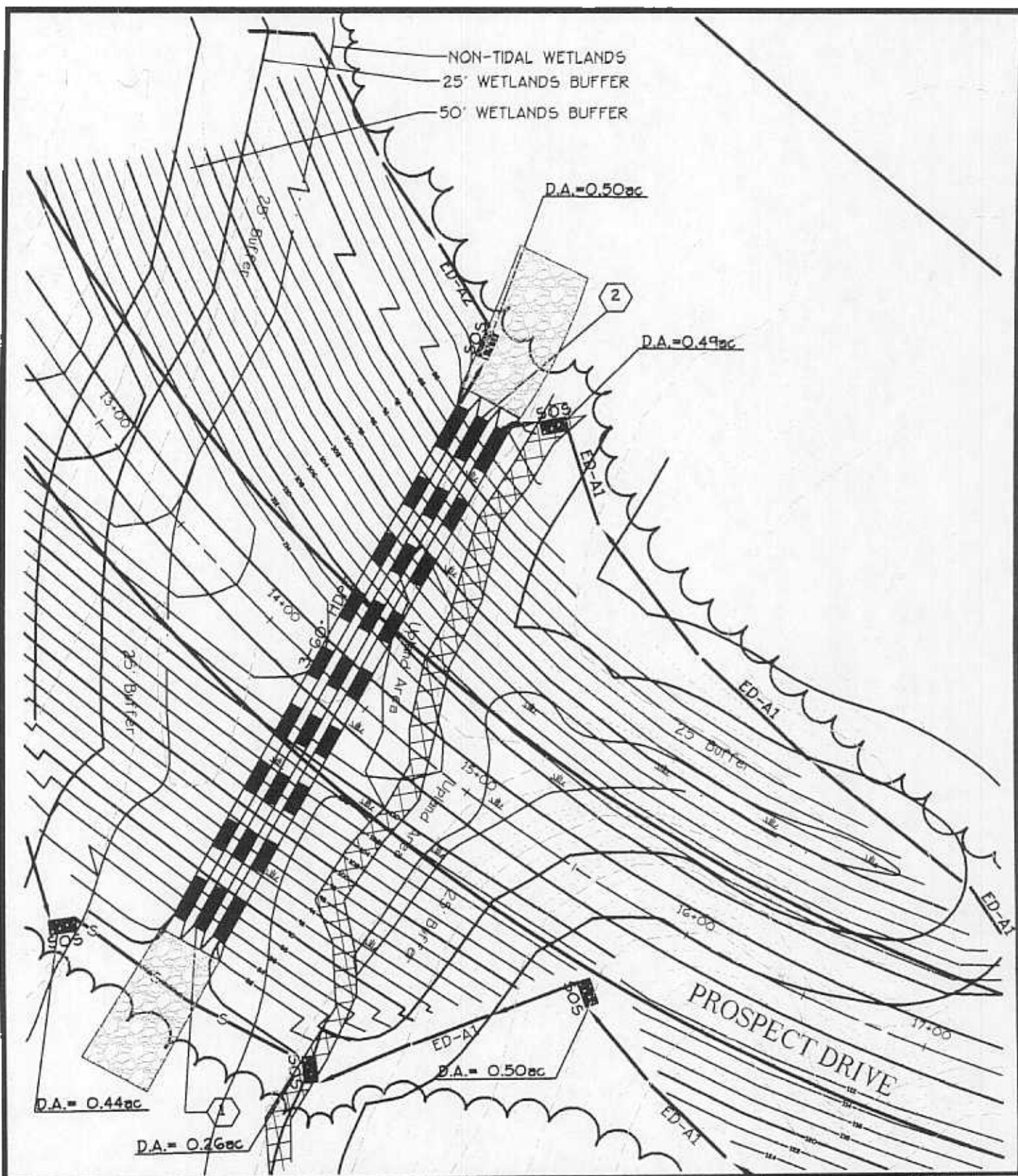
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CULVERT 1 - 2 ROAD CROSSING

FEDERAL OAKS

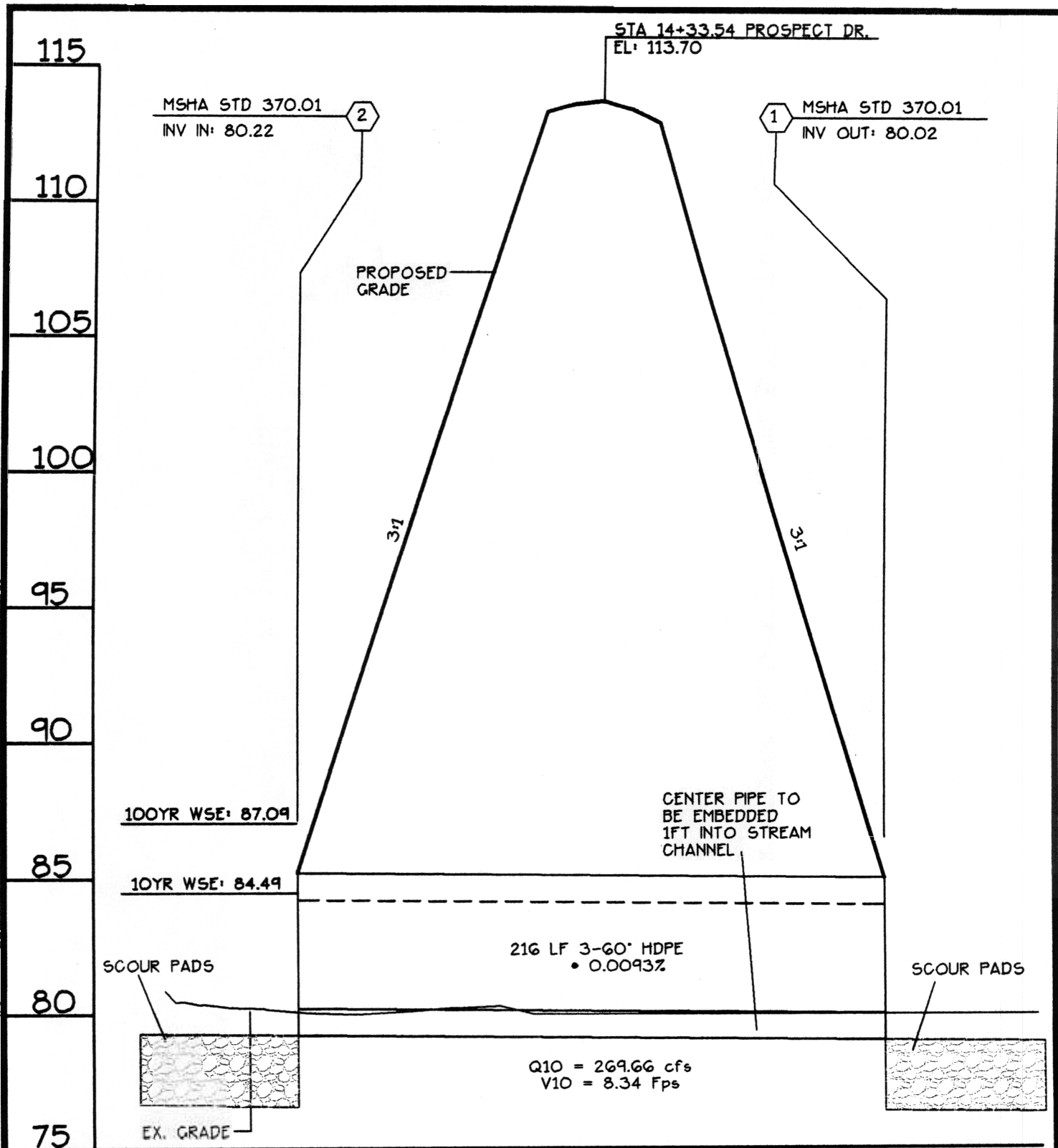
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CULVERT 1-2

SCALE: 1" = 50' HORZ
1" = 5' VERT.

CROSS SECTION OF ROAD CROSSING

FEDERAL OAKS

3rd ELECTION DISTRICT, CALVERT COUNTY, MARYLAND



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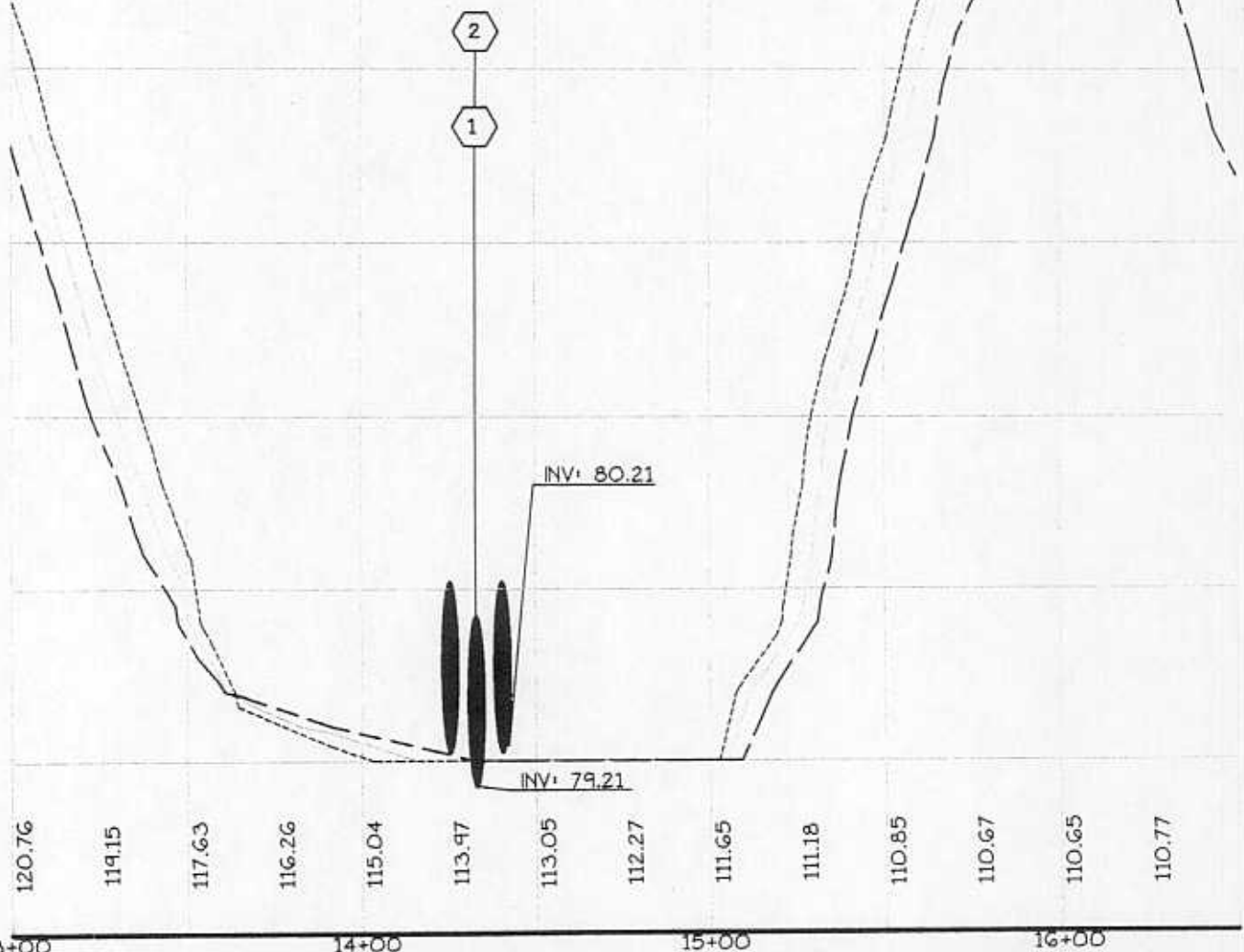
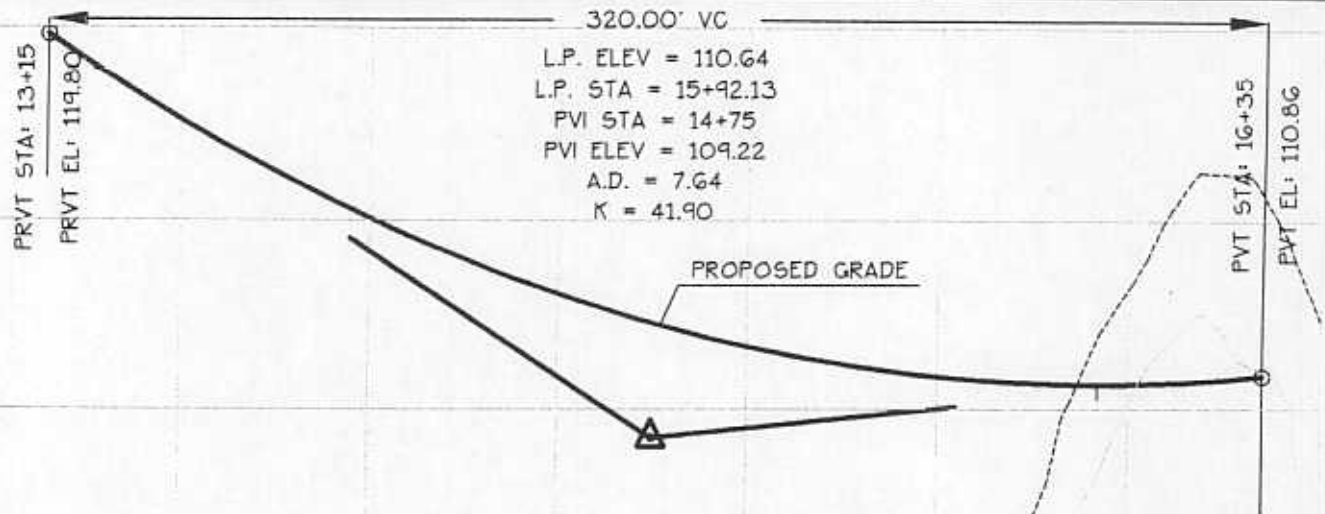
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ROAD PROFILE OF CROSSING

FEDERAL OAKS

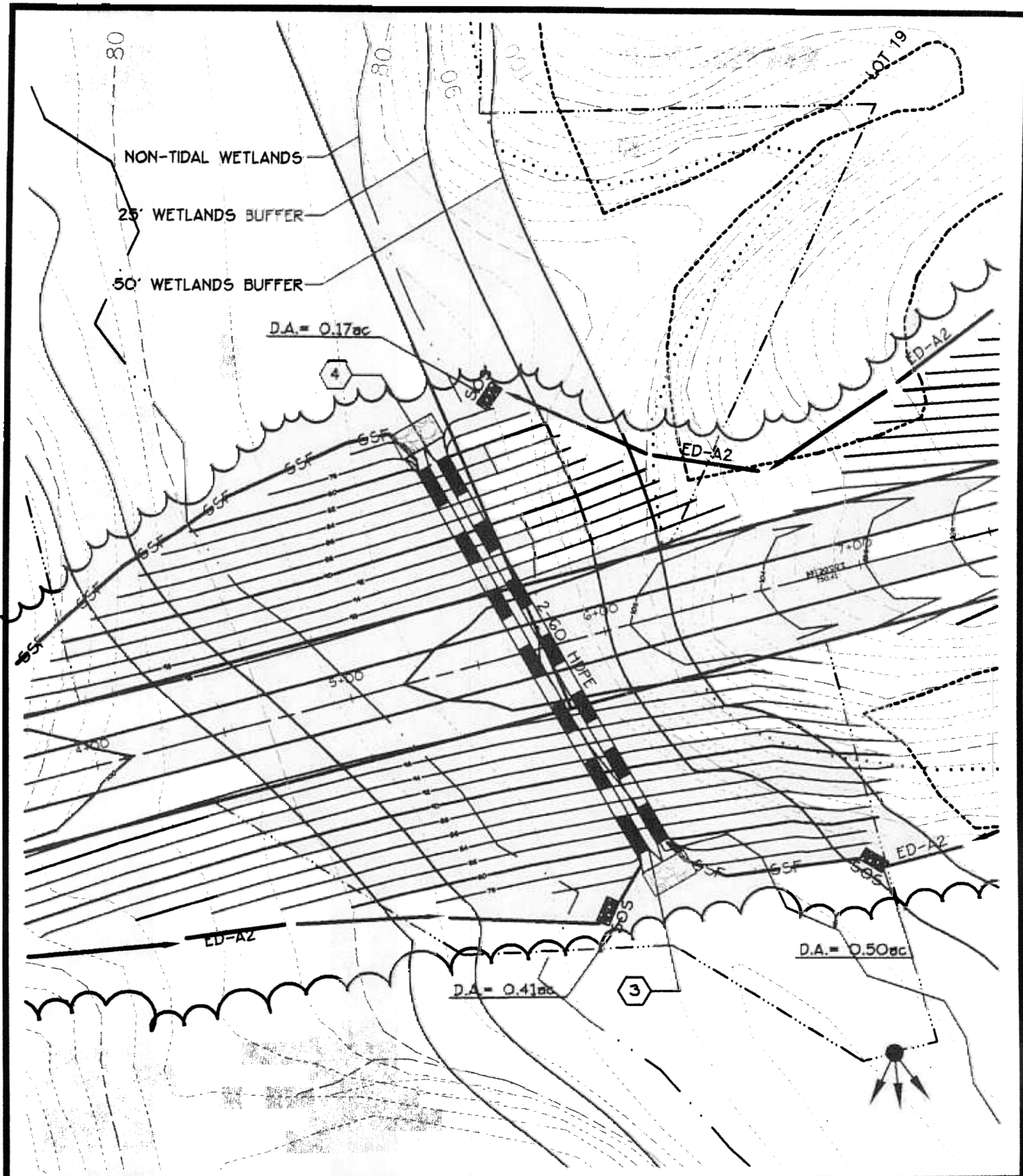
3rd ELECTION DISTRICT, CALVERT COUNTY, MARYLAND



**R.A. BARRETT
& ASSOCIATES, INC.**
ENGINEERS & SURVEYORS

(DUNKIN WATNETPLACE PROFESSIONAL CENTER)
3140 WEST WARD ROAD, SUITE 200, DUNKIN, MD 20754
410-251-2255 301-855-5554 FAX 410-251-2190

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CULVERT 3 - 4 ROAD CROSSING

FEDERAL OAKS

3rd ELECTION DISTRICT, CALVERT COUNTY, MARYLAND



**R.A. BARRETT
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ENGINEERS & SURVEYORS

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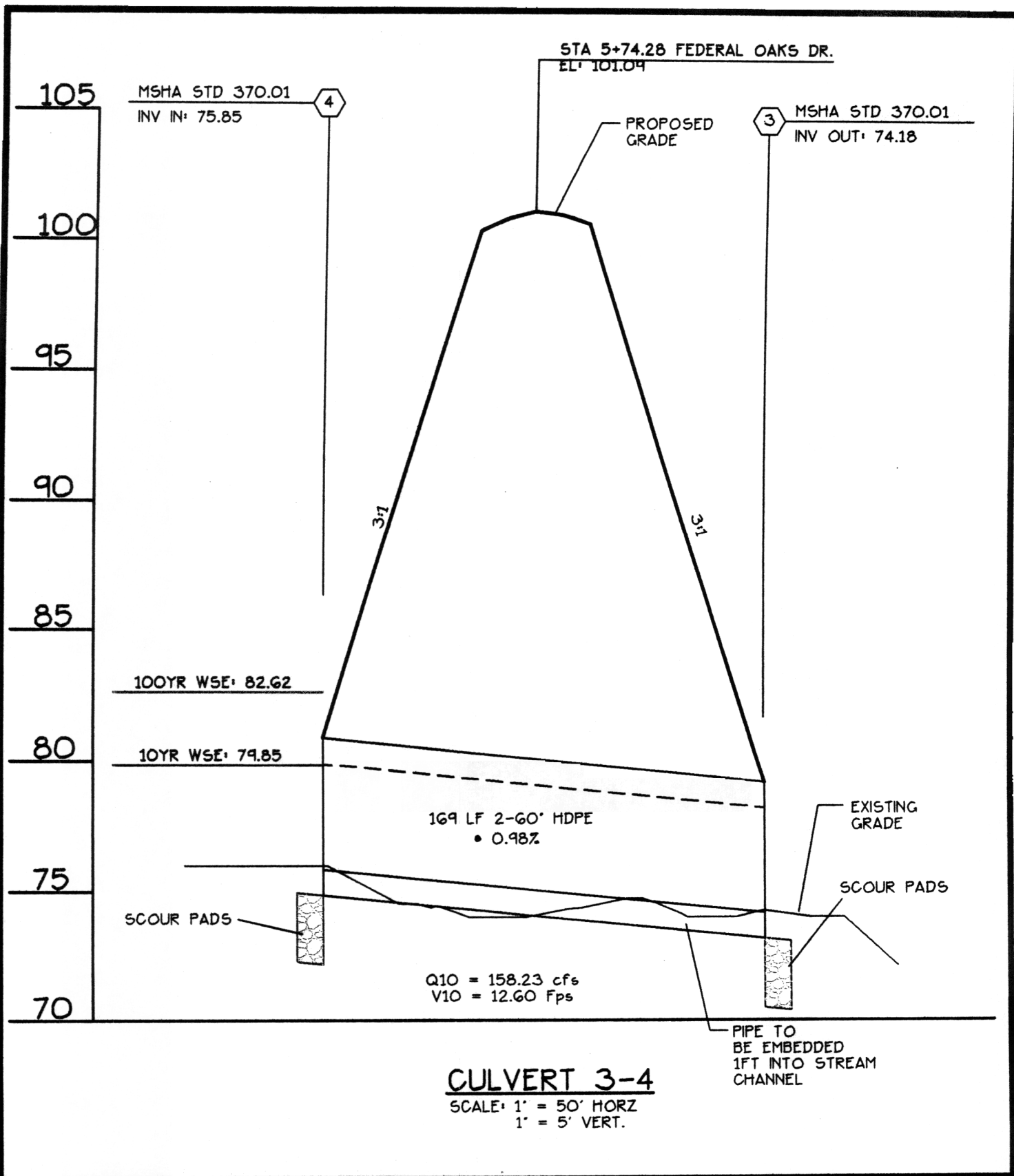
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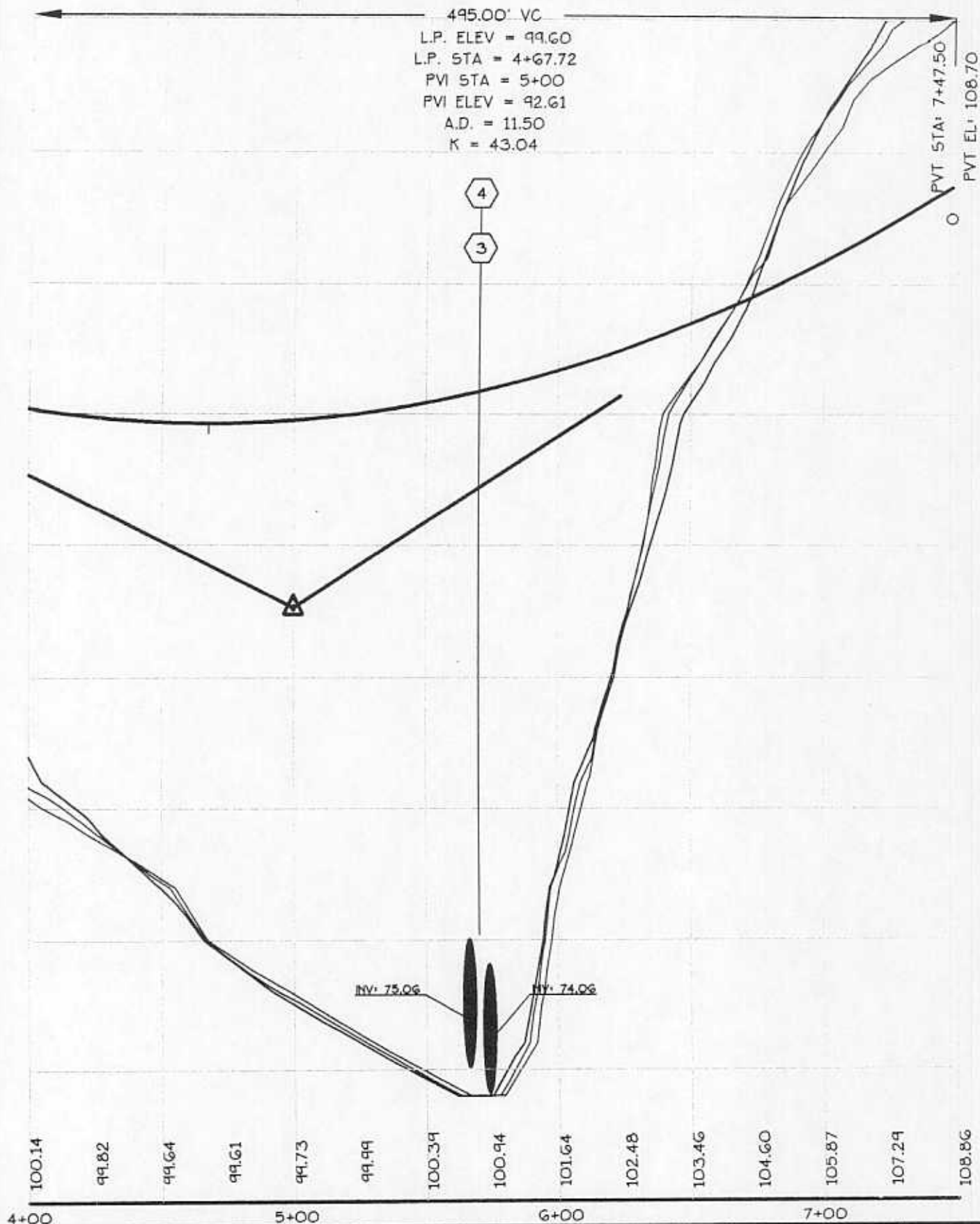
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CROSS SECTION OF ROAD CROSSING	 <p>R.A. BARRETT & ASSOCIATES, INC. ENGINEERS & SURVEYORS DUNKIRK MARKETPLACE PROFESSIONAL CENTER 3140 WEST WARD ROAD, SUITE 208, DUNKIRK, MD. 20754 410-257-2255 301-855-5554 FAX: 410-257-3782</p>	DRAWN BY T.J.W. SCALE AS NOTED DATE OCT. 2002 DWG MDEDWG JOB NO. 01246
<p>FEDERAL OAKS</p>		
<p>3rd ELECTION DISTRICT, CALVERT COUNTY, MARYLAND</p>		



ROAD PROFILE OF CROSSING

FEDERAL OAKS

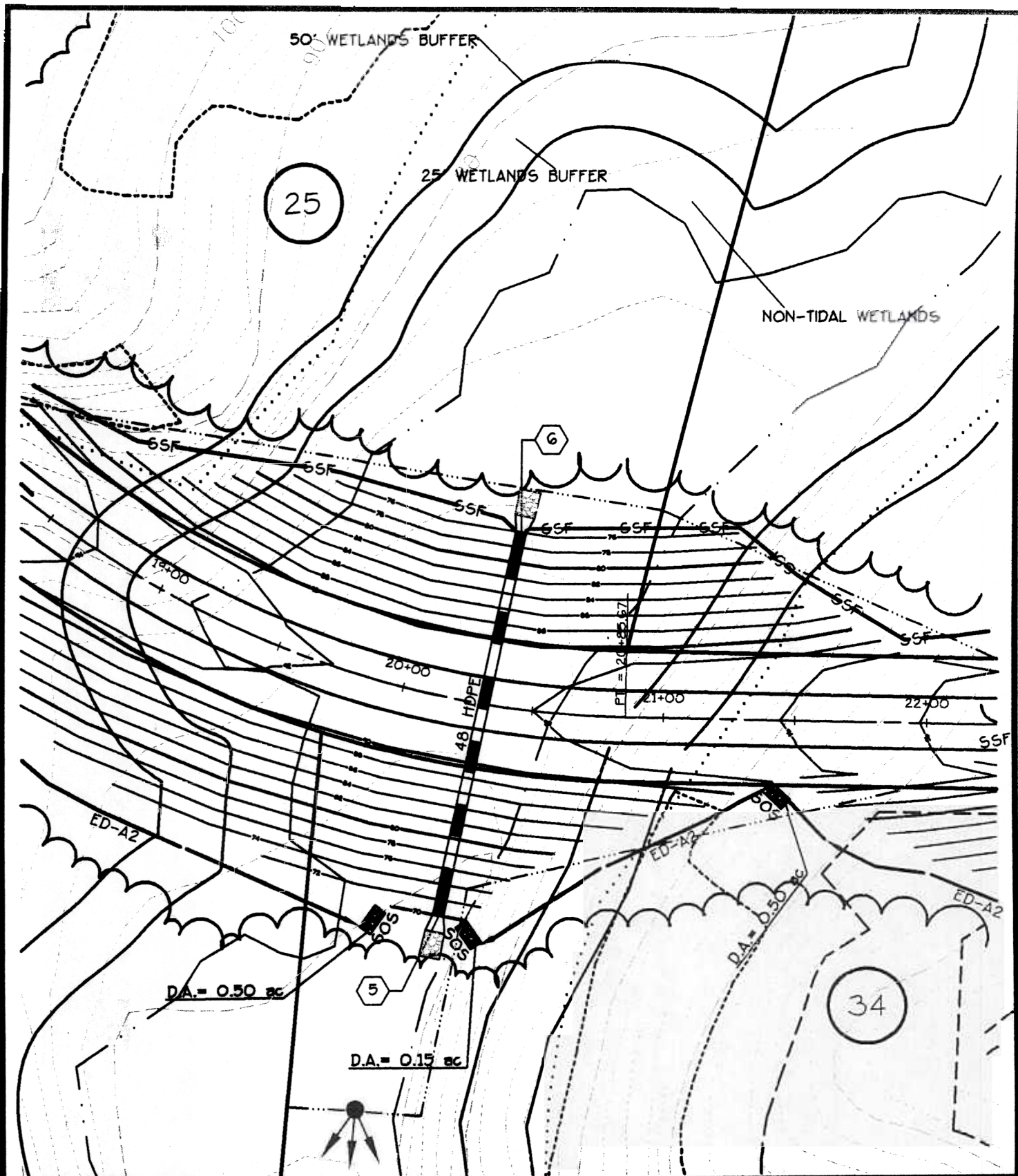
3rd ELECTION DISTRICT, CALVERT COUNTY, MARYLAND



**R.A. BARRETT
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DUNNORTH MARKETPLACE PROFESSIONAL CENTER
 3140 WEST WARD ROAD, SUITE 200, DUNNORTH, MD 20754
 410-251-2282 301-404-5554 FAX 410-251-3702

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CULVERT 5 - 6 ROAD CROSSING

FEDERAL OAKS

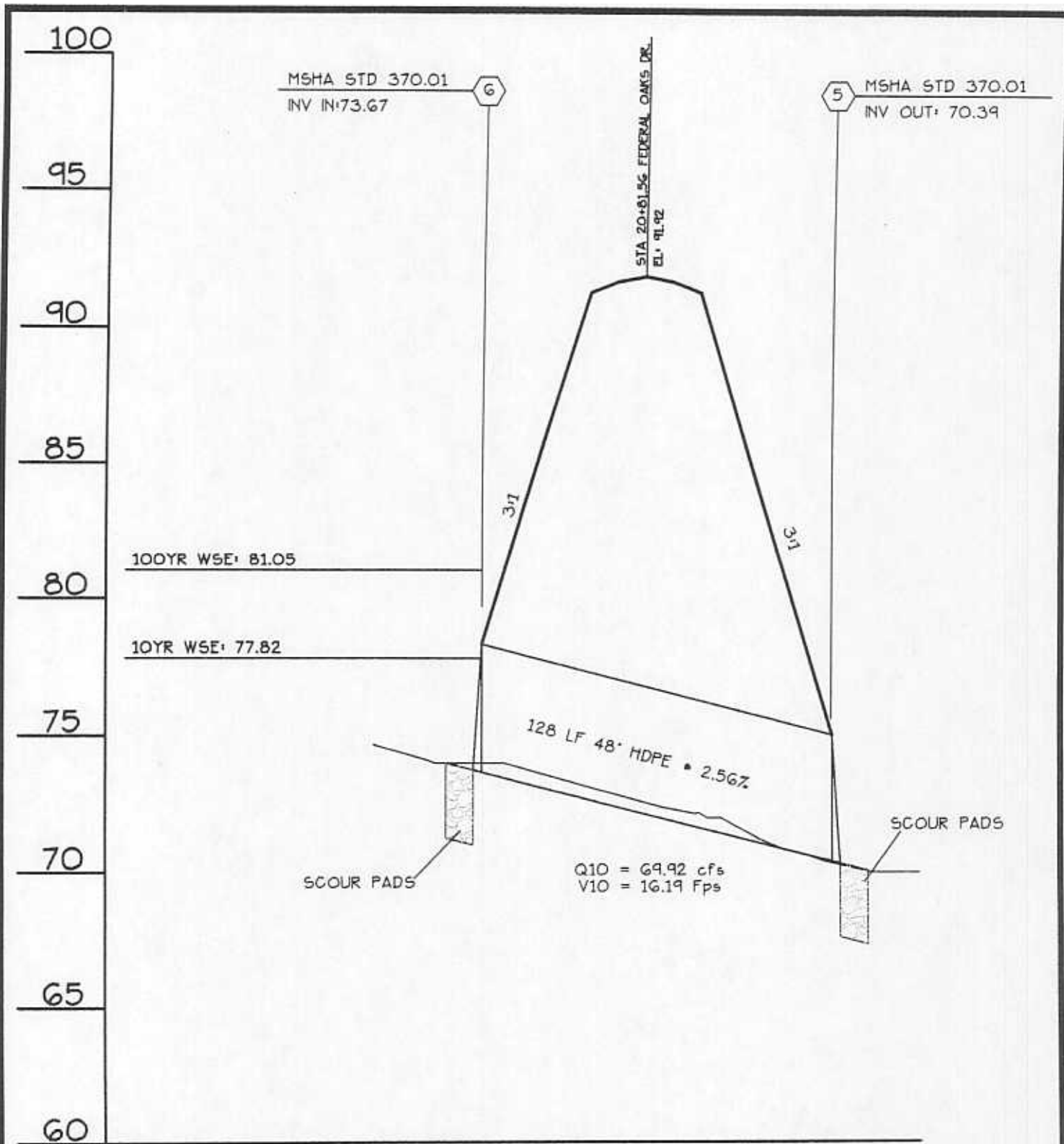
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CULVERT 5-6

SCALE: 1" = 50' HORZ
1" = 5' VERT.

CROSS SECTION OF ROAD CROSSING

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3rd ELECTION DISTRICT, CALVERT COUNTY, MARYLAND



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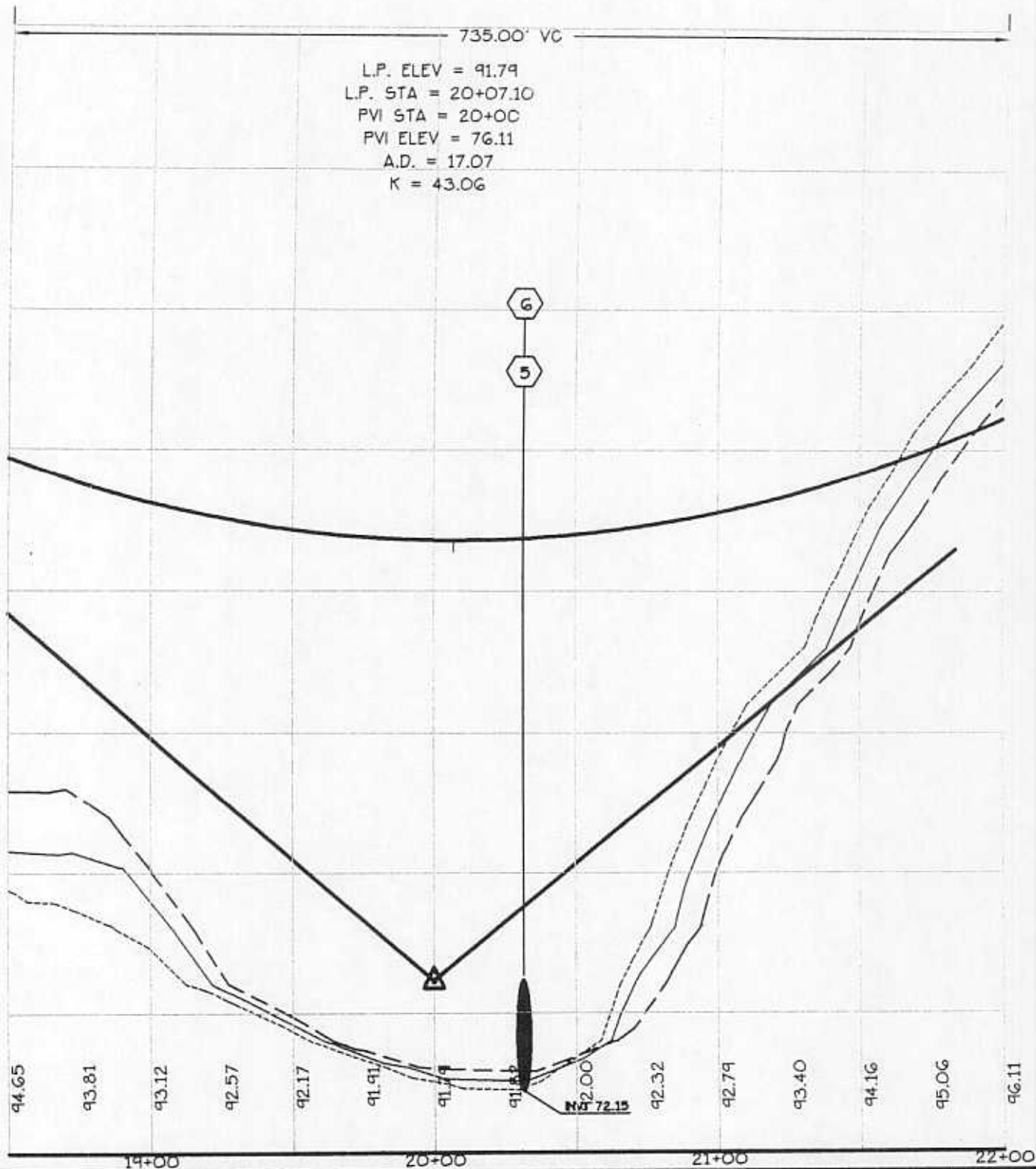
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ROAD PROFILE OF CROSSING

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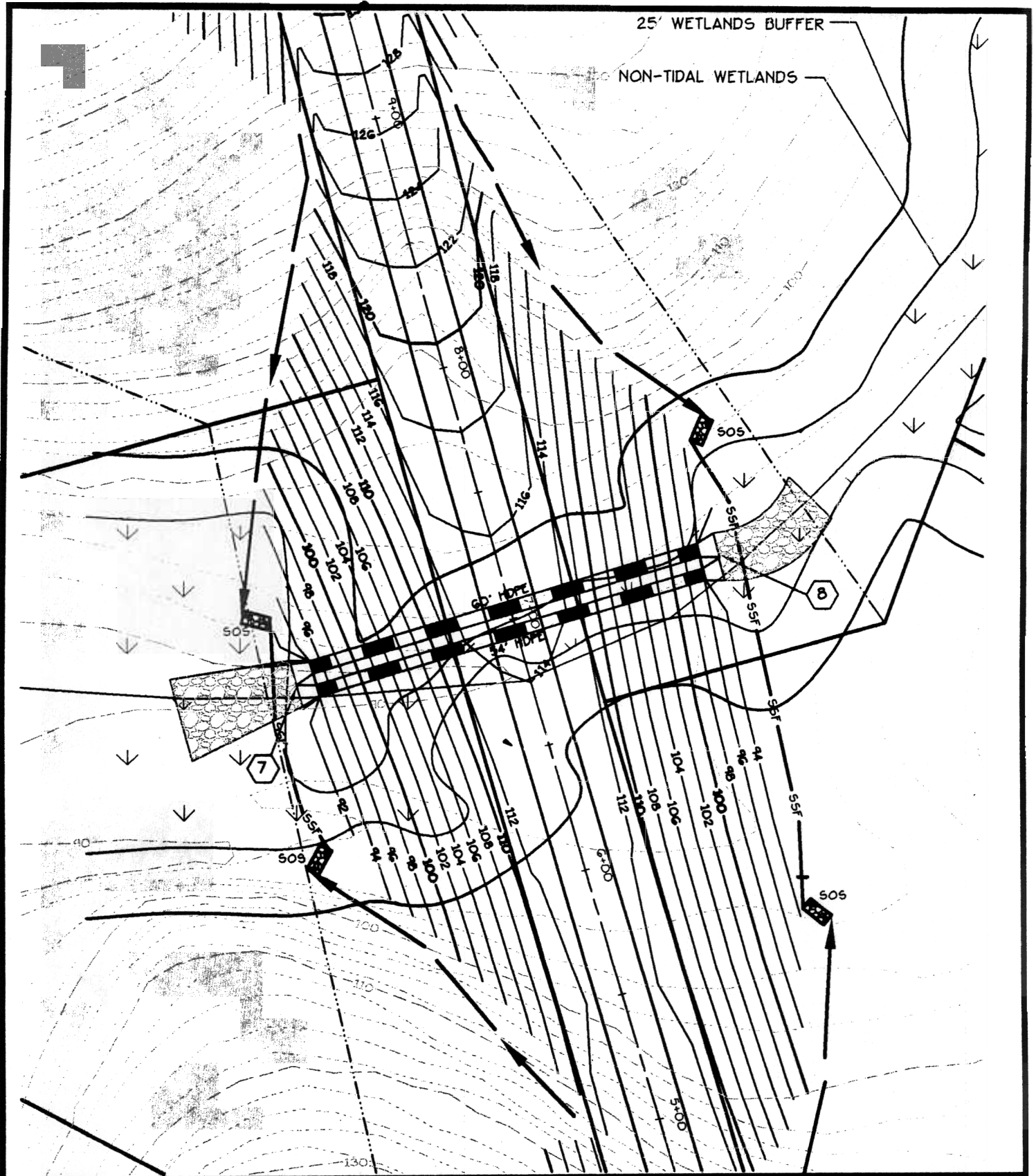
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CULVERT 7 - 8 ROAD CROSSING

FEDERAL OAKS

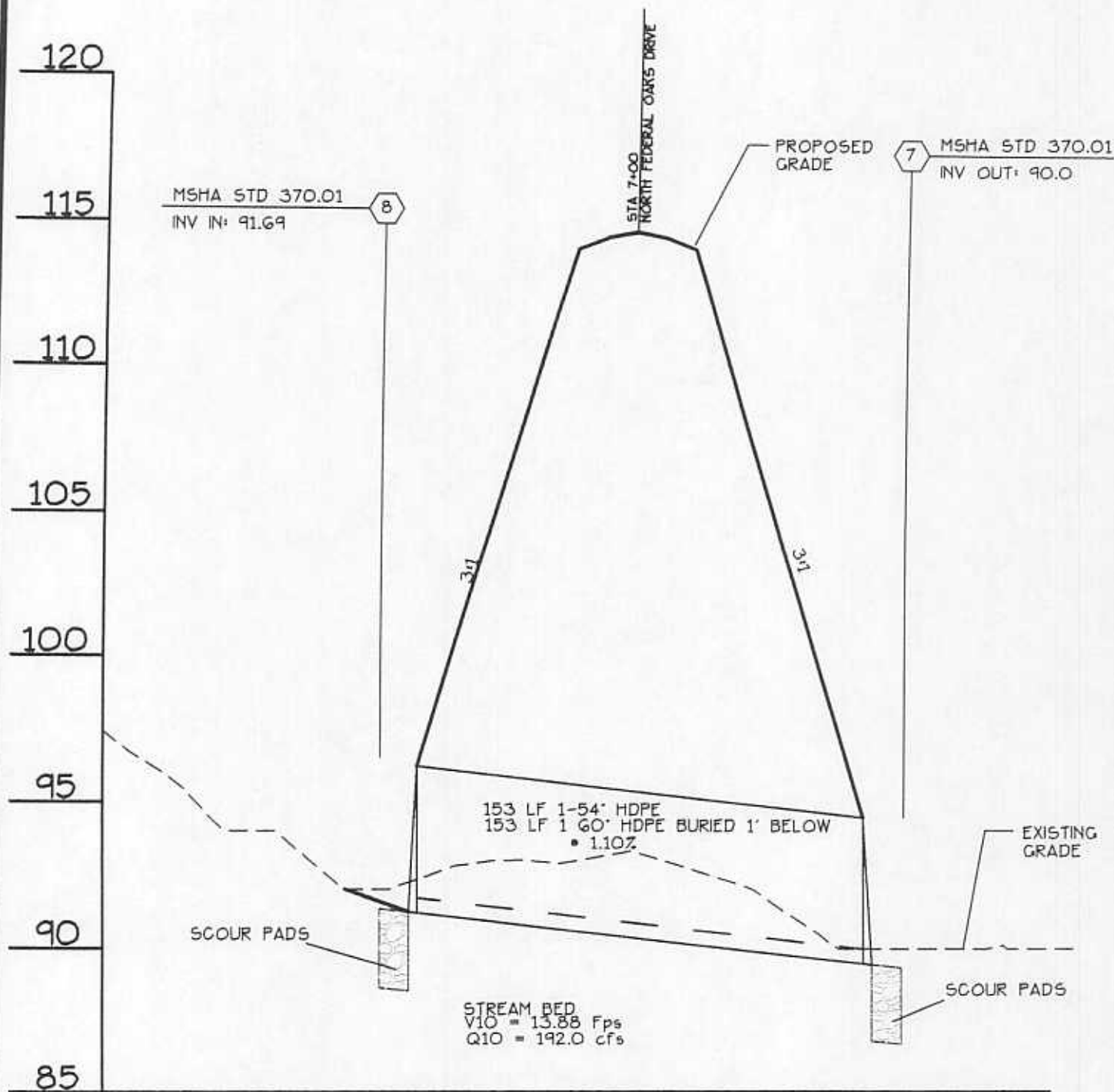
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CULVERT 7-8

SCALE: 1" = 50' HORZ
1" = 5' VERT.

CROSS SECTION OF ROAD CROSSING

FEDERAL OAKS

3rd ELECTION DISTRICT, CALVERT COUNTY, MARYLAND



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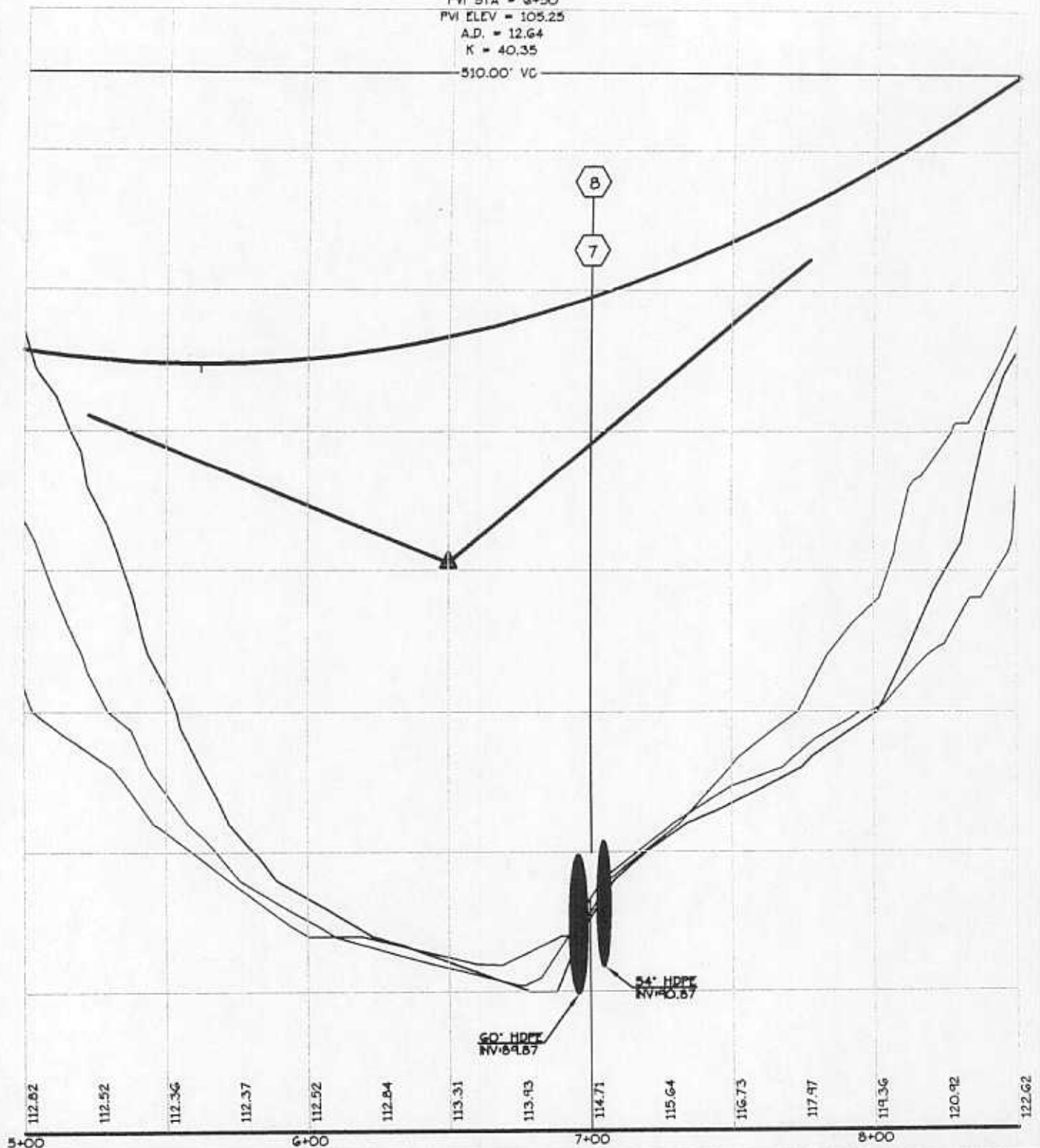
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L.P. ELEV = 112.35
 L.P. STA = 5+61.98
 PVI STA = 6+50
 PVI ELEV = 105.25
 A.D. = 12.64
 K = 40.35

510.00' VC



ROAD PROFILE OF CROSSING

FEDERAL OAKS

3rd ELECTION DISTRICT, CALVERT COUNTY, MARYLAND



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